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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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AZ CORP COMMISSION
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COMMISSIONERS

MARC SPITZER, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON
KRISTIN K. MAYES

IN THE MATTER OF:

AVIS READ, individually, on behalf of all similarly
situated,

Complainants,

v.

ARIZONA PUBLIC SERVICE COMPANY,

Respondent.

DOCKET NO. E-01345A-04-0657

PROCEDURAL ORDER

BY THE COMMISSION:

On September 9, 2004, Avis Read ("Complainant"), on her own behalf and on behalf of a class of customers of Arizona Public Service Company ("APS") filed a complaint ("Complaint") against APS. The Complaint alleges that:

APS has systematically deceived and overcharged Complainant and the class in the sale of electricity to them, by systematically failing to follow legally required procedures regarding estimated charges for electricity services; by billing estimated demand readings as if they were actual readings of demand for the month being billed; and by charging the class for electricity using estimating procedures not approved by the Arizona Corporation Commission as required by law, but arbitrarily invent by APS employees.

On September 17, 2004, Commissioner Mundell docketed a letter in this matter.

On September 20, 2004, Commissioner Mayes docketed a letter in this matter, and APS filed its Response to the Complaint.

On September 21, 2004, Commissioner Hatch-Miller docketed a letter in this matter.

Accordingly, a pre-hearing conference should be scheduled to discuss procedural issues

concerning the appropriate procedural handling of this Complaint and other related dockets.¹

IT IS THEREFORE ORDERED that a pre-hearing conference shall be held on October 14, 2004 at 2:00 p.m., or as soon thereafter as is practical, at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized Communications) applies to this proceeding as the matter is now set for public hearing.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

Dated this 4th day of October, 2004


LYN FARMER
CHIEF ADMINISTRATIVE LAW JUDGE

The foregoing was mailed/delivered this 4th day of October, 2004 to:

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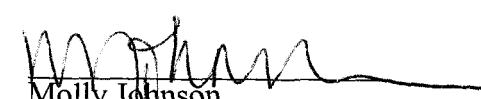
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¹ APS Application for Declaratory Order Regarding Bill Estimation Procedures (Docket No. E-01345A-03-0775); APS Rate Application (Docket No. E-01345A-03-0437)